IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.721 OF 2007
IN
SUMMARY SUIT NO.1000 OF 2005

Ravindra Kussaya Amin. ..Plaintiff.

V/s.

M/s.Shakti Aquaculture Farms Ltd. & Anr...Defendants.

Mr.N.G.Raut for plaintiff.

Ms.Nipa Singh i/b. M/s. Mahesh Menon & Co. for defendants.

CORAM: A.M.KHANWILKAR,J

DATE : APRIL 16, 2007.

P.C. :

1. Heard counsel for the parties. Perused the affidavit in support of the Motion. For the reasons mentioned therein having remained uncontroverted and being sufficient cause, in the interest of justice, Motion deserves to be allowed in terms of prayer clause (a).

2. Counsel for the defendants however, submits that no indulgence be shown to the plaintiff, as the Summons for Judgment was taken up earlier on two different occasions and on both the occasions none appeared for the plaintiffs. Even so, for the reasons mentioned in the affidavit, being genuine one

and supported by medical certificate, in the interest of justice, Motion is made absolute in terms of prayer clause (a).

3. Needless to reiterate the observations made in the earlier order dated 15th March, 2007 that Written Statement filed by the defendants was to be made subject to the outcome of the present motion.